

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

Docket No.: 07 Cr. 329
(SHS)

NOTICE OF MOTION

ELVIS FUENTES,

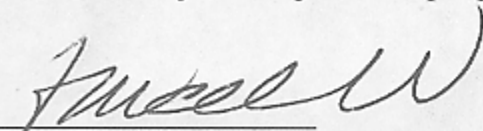
Defendant.

-----X

PLEASE TAKE NOTICE that upon the annexed Declaration of Jonathan Marks, the Affidavit of Elvis Fuentes, the Affidavit of Veronica Vargas, defendant will move this Court before the Honorable Sidney H. Stein, on May 17, 2007, at 9:30 a.m. for:

An Order (1) directing that a hearing be held to determine whether or not the search and resulting seizure of physical evidence from defendant's apartment violated the Fourth Amendment to the United States Constitution; (2) and following the hearing, for an Order suppressing the evidence;

(3) and for such further and different relief as the Court may deem just and proper.


JONATHAN MARKS (JM-9696)
220 Fifth Avenue, Suite 300
New York, NY 10001
Tel: (212) 545-8008
Fax: (212) 889-3595
Cell: (917) 374-7693

To: Jessica A. Masella,
Assistant U. S. Attorney
One St. Andrew's Plaza
New York, NY 10007